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Assistant Commissioner for Patents,  
Washington, D.C. 20231

on October 8, 2001

TOWNSEND and TOWNSEND and CREW LLP

By Jay M. Marshall

*HJ*  
**PATENT**  
Attorney Docket No.: 023070-099910  
UC Case No. 99-404-2

TECH CENTER 1600/2900

JAN 10 2002

**RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fischer, et al.

Application No.: 09/840,743

Filed: April 23, 2001

For: NUCEIC ACIDS THAT CONTROL  
PLANT DEVELOPMENT

**POWER OF ATTORNEY BY ASSIGNEE**  
**AND EXCLUSION OF INVENTOR(S) UNDER 37 CFR § 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Kevin L. Bastian, Reg. No. 34,774; Eric J. Baude, Reg. No. 47,413, M. Henry Heines, Reg. No. 28,219; Matthew E. Hinsch, Reg. No. 47,651; Laurence J. Hyman, Reg. No. 35,551; Jeffry S. Mann, Reg. No. 42,837; Frank Mycroft, Reg. No. 46,946, Annette S. Parent, Reg. No. 42,058; Peter Seperack, Reg. No. 47,932, J. David Smith, Reg. No. 39,839, William M. Smith, Reg. No. 30,223; Joseph R. Snyder, Reg. No. 39,381; Eugenia Garrett-Wackowski, Reg. No. 37,330; Ellen Lauver Weber, Reg. No. 32,762; Kenneth A. Weber, Reg.

No. 31,677; William B. Kezer, Reg. No. 37,369, all of the firm of Townsend and Townsend and Crew LLP, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with 37 CFR § 3.71.

An assignment of the entire interest in the above-identified subject application:

is being concurrently submitted under separate cover to Attn: Box Assignments for recording, a copy not for recordation is enclosed.

Please direct all telephone calls to Matthew E. Hinsch and all correspondence relative to said application to the following address:

Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834

ASSIGNEE:

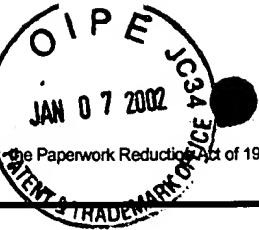
THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA

Signature:  
Typed Name:  
Title:

Linda S. Stevenson  
Linda S. Stevenson  
Manager, Patent Prosecution

1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

Dated: October 3, 2001 SF 1274564 v1



PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Attorney Docket No. 023070-099910

Applicant/Patent Owner: Robert Fischer, Yeonhee Choi, Mike Hannon, Jack Okamuro, Tatiana Tatarinova

Application No./Patent No.: 09/840,743 Filed/Issue Date: April 23, 2001

Entitled: NUCLEIC ACIDS THAT CONTROL PLANT DEVELOPMENT

The Regents of the University of California, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

October 3, 2001

Date

Linda S. Stevenson

Signature

Linda S. Stevenson

Typed or printed name

Manager, Patent Prosecution

Title

JAN 10 2002

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ASSIGNMENT

U.C. Case No. 99-404-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Robert Fischer
2. Yeonhee Choi
3. Mike Hannon
4. Jack Okamuro
5. Tatiana Tatarinova

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12<sup>th</sup> Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

NUCLEIC ACIDS THAT CONTROL PLANT DEVELOPMENT

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above-named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors
- (c)  \_\_\_\_\_ U.S. application serial no. 09/840,743, filed on April 23, 2001
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

**COPY**

NOT FOR RECORDATION

Attorney Docket No. 02307O-099910US  
UC Case No. 99-404-2

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

23 day of July, 2001

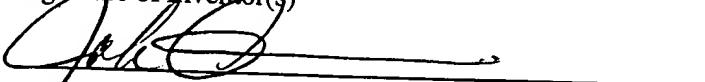
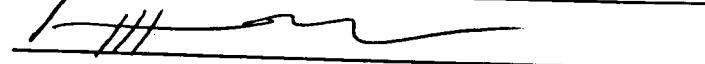
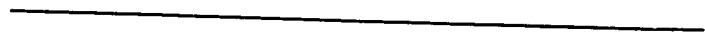
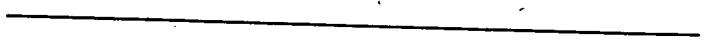
24 day of July, 2001

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       day of       , 20      

       day of       , 20      

Signature of Inventor(s)

SF 1246542 v1

ASSIGNMENT

U.C. Case No. 99-404-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Robert Fischer \_\_\_\_\_ 2. Yeonhee Choi \_\_\_\_\_  
3. Mike Hannon \_\_\_\_\_ 4. Jack Okamuro \_\_\_\_\_  
5. Tatiana Tatarinova \_\_\_\_\_

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(d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

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Attorney Docket No. 02307O-099910US  
UC Case No. 99-404-2

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executed this

**Signature of Inventor(s)**

day of       , 20

day of       , 20

29<sup>th</sup> day of July, 2001

day of                 , 20

day of       , 20

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**ASSIGNMENT**

U.C. Case No. 99-404-2

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(d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

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executed this

17 day of July, 2001

17 day of July, 2001

       day of       , 20      

       day of       , 20      

       day of       , 20      

Signature of Inventor(s)

Robert Fisch

Open air

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